

have been withdrawn from consideration. Claims 1 +and 3 have been amended. Claim 9 has been added.

In the Office Action, restriction has been required under 35 U.S.C. §121 to one of the following inventions:

- I. Claims 1-4 drawn to a knitted netting;
- II. Claims 5 and 6 drawn to a method of producing a knitted netting on a knitting machine; and
- III. Claims 7 and 8 drawn to a wrapped bale of agricultural crops.

During a telephone conversation with the Examiner on February 4, 1998, provisional election was made to prosecute the invention of Group I, claims 1-4.

Affirmation of this election is hereby made by Applicants.

In view of the general comments in the Office Action, Applicants have amended the specification at page one to more clearly indicate that the shuss ribbons are the transverse ribbons indicated as 12 in FIG. 1 and the franze ribbons are the longitudinal indicated as 14 in FIG. 1. The use of terminology is completely consistent with its use in the art. For example, attached as Exhibit 1 is an excerpt from a Karl Meyer machine catalog indicating that shuss translates as weft and franze translates as pillar stitch.

Claims 1-4 have been rejected under 35 U.S.C. §112 as being vague and indefinite. In particular, claims 1-4 are cited as being indefinite due to the use of the term "calculated shuss length". The meaning of the word "shuss" is indicated as being unclear.

As set forth above, the meaning of the word shuss both in the art and in

the instant patent application is believed to be clear and unambiguous.

Nonetheless, Applicants have amended the language of claim 1 to avoid the use of this term.

Claim 2 is cited as indefinite for being unclear in how "*one* of said lateral polyolefin ribbons" can comprise "*a plurality* of polyolefin ribbons."

In response, Applicants note that the language of claim 2 requires that "at least one" comprises "a plurality". The phrase "at least one" means one or more.

The phrase "a plurality" means two or more. Thus, claim 2 further limits claim 1 by requiring that "said at least one of said polyolefin ribbons" include two or more polyolefin ribbons. It is believed that the meaning of this language is clear.

However, if the Examiner believes that alternate language would be preferable, Applicants would be happy to consider any suggestion in this regard.

Claim 3 is cited as indefinite for being unclear in what is meant by the phrase "said plurality of polyolefin ribbons are on the outside edges of the knitted netting." In particular, the limitation of "the outside edges" is indicated as not being defined by the claim or the specification. In response, Applicants have amended the language of claim 3 to indicate that the polyolefin ribbons are in opposite longitudinal edges of the netting as discussed in the specification at page 9, lines 11-15.

Claim 4 is cited as indefinite for being unclear in what is meant by the phrase "at least one of said lateral polyolefin ribbons comprises all of said polyolefin ribbons." Similar to claim 2, Applicants note that the language of claim 4 requires that "at least one" comprises "all". The phrase "at least one"

means one or more. The phrase "all" means every one. Thus, claim 4 further limits claim 1 by requiring that "said at least one of said polyolefin ribbons" include every one of the polyolefin ribbons. It is believed that the meaning of this language is clear. However, if the Examiner believes that alternate language would be preferable, Applicants would be happy to consider any suggestion in this regard.

In view of the foregoing, Applicants believe that the claims herein now particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully request that the rejection under 35 U.S.C. §112 be withdrawn.

Claim 9 has been added herein which merely restates the characteristics of the modified shuss knitted netting. Support for this claim is found on pages 5 and 6 of the specification. No new matter has been added.

Claim 1 is rejected under 35 U.S.C. §102 as anticipated by U.S. Patent 5,256,353 to Leiber et al. Leiber is cited as disclosing a knitted netting comprised of longitudinal and lateral polyethylene ribbons which are Raschel knitted into a netting for use in wrapping pallets and agricultural bales.

In response, Applicants note that both the netting of the claimed invention and that of Leiber are Raschel netting. However, the netting of Leiber is the same as the prior art netting described in the "Background of the Invention" section of Applicants' patent application. In fact, a comparison of FIG. 6 of Leiber with FIG. 1 of the instant application demonstrates the similarity. The netting of Leiber is not similar to FIG. 2 of the instant application which discloses

the netting in accordance with the invention.

Further, the netting of Leiber is knit on a Raschel knitting machine. As discussed on pages 6 and 7 of the instant application, existing Raschel knitting machines cannot make modified schuss knitted netting. Applicants had to redesign the machine to achieve this capability. There is absolutely no teaching or suggestion of such a modification in Leiber.

Further, the netting according to the instant invention is suitable for applications such as the efficient over-wrapping of bales of hay. Leiber is much less suitable for such applications. For example, if netting as described in the Leiber patent is 4" wider than the width of a cylindrical bale of hay, it will not fully wrap the bale to the edges. In fact, the netting will only extend widthwise to within 2"-4" of the bale edges. This is because the netting will narrow down by 8" to 10" when stretched lengthwise with the force necessary to wrap the bale tightly.

On the other hand, the netting according to Applicants' claimed invention will not only wrap the whole width of the bale without narrowing down, but the extra material beyond the edges of the cylinder creates a wrap which is even wider than the basis width between the franzes. For example, if the schuss is 150% modified, then on the sides of the bale cylinder the distance between the franze will widen from 1" to 1½" and so the coverage achieved by 2 franzes will be 3 inches even though the original distances between the franzes was only 2 inches.

In view of the foregoing, Applicants' invention cannot be said to be either

taught or suggested by Leiber et al. Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn.

Claims 2-4 are rejected under 35 U.S.C. §103 as unpatentable over Leiber et al. It is contended that it would have been obvious to one of ordinary skill in the art to employ a plurality of ribbons for one of said lateral polyolefin ribbons. Additionally, it is contended to have been obvious to employ the plurality of ribbons at a border or edge of the netting in order to increase strength in this edge region.

As set forth above with respect to claim 1, Applicants' invention cannot be said to be either taught or suggested by Leiber et al. and is therefore believed to be allowable over the prior art. Claims 2-4 depend either directly or indirectly from claim 1. Therefore, through dependency, claims 2-4 are believed to be allowable as well. Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn.


Applicants believe that all of the claims now under consideration in the application (i.e., claims 1-4 and 9) are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he is invited to contact the undersigned at the telephone number below.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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